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Department of Water Resources

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DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED 9c

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

) MASTER'S REPORT AND
) RECOMMENDATION

Case No. 39576

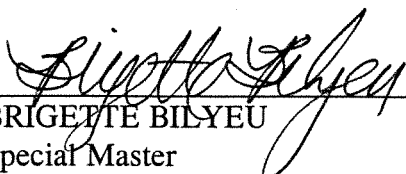
)
) SUBCASE NOS.: 31-07030B, 31-07031
) and 31-07032

On February 22, 2002, a *Partial Decree Pursuant to I.R.C.P. 54(b)* was issued for the above water rights. On April 15, 2002, the Court received a letter from Nick Hillman requesting that the *Partial Decree* be set aside and that the period of use be changed to April 1 through November 1.

A hearing was held May 2, 2002. At the hearing, IDWR reported that the claimant was seeking to change the beginning date of the period of use from May 1st to April 1st. IDWR also reported that these rights had been licensed in the late 1970's. The *Motion to Set Aside Partial Decree* was unopposed and was recommended granted to allow the claimant to show whether an amended partial decree should issue. At a status conference on August 7, 2002 claimant's attorney stipulated that there should be no change to the *Partial Decree*.

THEREFORE, IT IS RECOMMENDED that there be no changes to the *Partial Decree* issued February 22, 2002. No Amended Partial Decree should issue.

Dated August 8, 2002.



BRIGETTE BILYEU
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the MASTER'S REPORT AND RECOMMENDATION was mailed on August 08, 2002, with sufficient first-class postage to the following:

NICK HILLMAN

Represented by:

RAY W. RIGBY

PO BOX 250

REXBURG, ID 83440-0250

Phone: 208-356-3633

DIRECTOR OF IDWR

PO BOX 83720

BOISE, ID 83720-0098


Deputy Clerk